

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE:

CRAIG A. STEWART and  
LISA F. STEWART,

Debtors.

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)  
)  
)  
)  
)

Chapter: 7

Case No: 09-30636

Judge: Carol A. Doyle

**FINAL APPLICATION FOR ALLOWANCE OF COMPENSATION  
AS GENERAL COUNSEL TO THE TRUSTEE**

**Cover Sheet for Application for Professional Compensation**

Name of Applicant(s): **Thomas E. Springer, Esq.**

Authorized to Provide Professional Services to: **Thomas E. Springer, Trustee of the Estate  
of Craig and Lisa Stewart, Chapter 7 Bankruptcy No. 09-30636**

Date of Order Authorizing Employment: **December 17, 2009**

Period of for which Compensation is Sought: **December 10, 2009 through March 27, 2013**

Amount of Fees Sought: **\$ 6,015.00**

Amount of Expense Reimbursement Sought: **\$ 0.00**

This is an: Interim Application \_\_\_\_\_ Final Application  X

If this is not the first application filed herein by this professional, disclosure as to all prior fee applications:

Date Filed	Period Covered	Total Requested	Total Allowed	Any Amount Withheld by Order
N/A	N/A	N/A	N/A	N/A

The amount of fees and expenses paid to the Applicant to date for Service rendered and expenses incurred herein is: \$  -0- .

**In re: Craig A. Stewart and Lisa F. Stewart**  
**Chapter 7 no. 09-30636**  
**Cover Sheet for Application for Professional Compensation by Trustee's General Counsel**  
**(PAGE TWO of TWO)**

Professionals retained and represented as follows in this Application for Allowance of Compensation and Reimbursement of Expenses as Counsel to the Trustee:

Name of Professional	Hourly Rates	Hours of Service	Value of Service
Thomas E. Springer, Attorney (TES)	\$375.00	13.7	\$ 5,137.50
Michele M. Springer, Attorney (MMS)	\$325.00	2.7	\$ 877.50
<b>TOTALS</b>		<b>16.4</b>	<b>\$6,015.00</b>

**A Summary and Total of Fee Application Categories is Attached hereto.**

DATE: March 27, 2013

APPLICANT:  
Thomas E. Springer  
Counsel to Trustee Thomas E. Springer

BY: Springer, Brown, Covey, Gaertner & Davis, LLC

By: /s/ Thomas E. Springer  
Thomas E. Springer  
One of His Attorneys

Thomas E. Springer  
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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
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IN RE:	)	
	)	Chapter: 7
CRAIG A. STEWART and	)	
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**FINAL APPLICATION FOR ALLOWANCE OF COMPENSATION  
AS GENERAL COUNSEL TO THE TRUSTEE**

**NOW COMES** Thomas E. Springer, Esq. and Springer, Brown, Covey, Gaertner & Davis, LLC (herein "Applicant") as duly authorized counsel to the Trustee, THOMAS E. SPRINGER, (herein the "Trustee") and respectfully requests the entry of an Order for the interim allowance and payment of compensation and reimbursement of expenses for services rendered and expenses incurred as counsel to the Trustee, pursuant to §330 of the United States Bankruptcy Code and applicable Federal Rules of Bankruptcy Procedure, and in support hereof, states to the Court as follows:

**I. INTRODUCTION**

This Application encompasses the time period from December 10, 2009 through preparation of Applicant's current Final Fee Application, March 27, 2013. The Application represents 16.4 hours of legal services provided to the Trustee. Applicant has neither previously requested nor obtained approval for payment of interim compensation or reimbursement of expenses. This Application seeks approval of legal fees in the amount of \$6,015.00 and \$0.00 for actual and necessary unreimbursed expenses.

The Debtors initiated this bankruptcy proceeding with the filing of a voluntary Petition under Chapter 7 of the United States Bankruptcy Code on August 20, 2009 and Thomas E. Springer was appointed as the Chapter 7 Trustee herein. On December 17, 2009, this Court entered an Order authorizing the Trustee to retain the Applicant as legal counsel. The hourly

rates of all Applicant's professionals and para-professionals are competitive with the rates charged in this market by professionals with similar skills and experience, as disclosed and summarized in the Cover Sheet to this Application for Compensation and Reimbursement of Expenses.

## **II. CASE STATUS and NARRATIVE OF LEGAL SERVICES**

The Debtors filed their Chapter 7 proceeding on August 20, 2009. The Debtors listed a breach of contract lawsuit entitled, Stewart v. American Bank & Trust Company, N.A., et. al., (hereinafter "Subject Litigation") which was pending in the District Court of Scott County, Iowa, Case No. 113462 on their amended schedules with a value of "unknown". Their Amended Schedules also claimed a \$15,000.00 exemption in the Subject Litigation.

Applicant drafted a Motion objecting to the Debtor's claimed exemption in the Subject Litigation. The claimed exemption, 735 ILCS 5/12-1001(h)(4), only applies to personal bodily injury. No assertion of personal bodily injury has been made by the Debtor in connection with the Subject Litigation. On February 11, 2010, an Order disallowing the claimed exemption was entered by this Court.

Upon the Trustee's investigation into the status of the pending lawsuit, it was confirmed that the Debtor, Craig Stewart, had retained legal representation in the matter prior to his Chapter 7 filing. The Trustee contacted said retained counsel for the Subject Litigation, Attorney Colleen M. McLaughlin, to obtain a status and value of the Subject Litigation, and was advised that the Subject Litigation had the potential for substantial value for the estate.

On May 6, 2010, Applicant obtained Orders employing Attorney McLaughlin, as well as co-counsel, Attorney Dorothy A. O'Brien, as local counsel in the Iowa state district court, as Special Counsel to the Trustee. After ongoing negotiations between Special Counsel and counsel for the Defendants in the Subject Litigation, a proposed agreement and release for settlement was reached by the necessary parties in the gross lump sum of \$62,500.00. This



agreement was reached by the parties but the language in the release that the Defendant Bank requested took an additional six months to negotiate and agree upon because the subject withholding taxes which could have impacted the tax liability of the estate.

On December 15, 2010, Applicant drafted a Motion for Approval of the Settlement and for approval payment of compensation to Special Counsel. On January 6, 2011, an Order approving the settlement and allowing payment of compensation to Special Counsel was entered. Trustee's counsel herein provided and maintained the normal and ordinary legal services to the Trustee in monitoring and overseeing liquidation and administration of the assets and coordinating efforts of the administration with the Trustee in the related Estate. Itemized time entries for all Applicant's services to this Bankruptcy Estate are attached as Exhibit "A".

**WHEREFORE**, Applicant, Thomas E. Springer respectfully requests that Trustee's Attorneys' fees in the amount of \$6,015.00 be approved as reasonable and appropriate and that payment be authorized upon entry of the Order approving such payment and for any such other and further relief as this Court deems just and equitable.

DATE: March 27, 2013

Respectfully Submitted,  
Thomas E. Springer  
Counsel to Trustee Thomas E. Springer

BY: Springer, Brown, Covey, Gaertner & Davis, LLC

By: /s/ Thomas E. Springer  
Thomas E. Springer  
One of His Attorneys

Thomas E. Springer  
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